

ORP Office of Rules and Procedures	Department of Children and Family Services	
	Index No: 98-22	Issuance Date: September 14, 1998
	Origin of Request: Central Office of Licensing	
	Distribution: Licensing Staff, Administrative Staff, Rules and Procedures Staff (A, L, P)	
	Key Words: 89 Ill. Adm. Code 401, Licensing Standards for Child Welfare Agencies, Independent Living Programs, Staff Qualifications, Licensed Child Welfare Agencies	
	Approved by:	

Interpretation

Applicable To: **Licensed Child Welfare Agencies**

Policy Citation: 401.310 Child Welfare Supervisors

Child welfare supervisors shall have a Master=s of Social Work degree from an accredited school of social work or an equivalent Master=s degree in a human services field from an accredited school and two years of full-time experience in a social work setting. Child welfare supervisors who were employed as a child welfare supervisor as of July 1, 1997, who have a Master=s degree and child welfare experience equivalent to the requirements of this Section, continue to be qualified as a child welfare supervisor for the child welfare agency where they are employed as of May 26, 1998.

401.320 Child Welfare Workers

Child welfare workers perform administrative duties, supervise placement of children, evaluate goals for placement, prepare progress reports, provide services to family members, arrange and supervise visits between children in placement and their family members and siblings, recommend discharge or placement of children, and keep required records. Child welfare workers shall have at least a Bachelor=s degree from an accredited school and shall be under the supervision of a qualified child welfare supervisor.

401.480(c) - A child welfare worker shall be assigned to youth in independent living programs and shall meet with the youth at least monthly or otherwise as specified in the service plan.

Question: How do staff qualification requirements apply to staff who were employed in independent living programs prior to May 26, 1998?

Discussion: Prior to the adoption of amendments to 89 Ill. Adm. Code 401, Licensing Standards for Child Welfare Agencies, effective May 26, 1998, the Department did not have a clear policy that only a licensed child welfare agency may operate an independent living program. No standards were in effect for independent living programs.

Several child welfare agencies had been operating independent living programs prior to May 26, 1998. These programs were operated without standards requiring specific staff qualifications. Some staff who have been working in the independent living programs do not qualify under the May 26, 1998 amendments, and no grandfather clause is in the standards to cover these staff.

It is not the Department's intent to displace staff who had been employed in independent living programs prior to the May 26, 1998 amendments to Part 401, Licensing Standards for Child Welfare Agencies. In Policy Transmittal 98.12, agencies were advised to develop an implementation plan to guide them as they seek to achieve full compliance with these amended standards.

Agencies that had been licensed as a child welfare agency prior to May 26, 1998 and who operated independent living programs with staff who do not meet the requirements of the amended standards shall address this in their implementation plan.

An appropriate implementation plan would be to allow staff employed prior to May 26, 1998, in independent living programs to continue in their current positions within the agency. Any new positions filled after May 26, 1998, must be filled with individuals who qualify under the amended standards.

Response: Staff employed in independent living programs prior to May 26, 1998, may continue in their positions in the agency if the child welfare agency develops an implementation plan to come into compliance with the amendments to Part 401, Licensing Standards for Child Welfare Agencies. The implementation plan shall state that all individuals hired after May 26, 1998, in the independent living program shall meet the requirements of the amended standards.